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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-----------------------------------|-----------------------------|
| 10/517,106 | 12/07/2004 | Hans Paul Tuinhout | NL02 0488US | 1314 |
| 65913 | 7590 | 03/10/2008 | | |
| NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131 | | | EXAMINER BAISA, JOSELITO SASIS | |
| | | | ART UNIT 2832 | PAPER NUMBER |
| | | | NOTIFICATION DATE 03/10/2008 | DELIVERY MODE ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/517,106 | Applicant(s) TUINHOUT ET AL. | |
| | Examiner JOSELITO BAISA | Art Unit 2832 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Piedmont [4228418].

Piedmont discloses a resistor network comprising a resistor body that includes multiple resistor sub-bodies (33, 34...313, 314) which are connected to and situated between column of taps (30, 31, 32), wherein at least two taps 20, 21 can be connected with respective first and second sources of reference input potentials, and wherein each tap of the at least one column of taps (30, 32) can be used for outputting an output potential via a contact area which is connected with the concerning tap, and wherein the only electrical connections between the resistor sub-bodies are electrical connections via taps connected with the resistor sub-bodies (33, 34 ...313, 314) [Col. 3, Lines 25-58, Figures 1-3].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Piedmont et al. [4228418] in view of Praria [4505032].

Piedmont discloses the instant claimed invention discussed above except for the column of taps is an extremity such as a T-shaped or an S-shaped projection which is connected with the concerning resistor sub-body.

Praria discloses resistor sub-body provided with at least one column of taps (64f, ...64ffff) wherein each tap of the column of taps is an extremity such as a T-shaped projection which is connected with the concerning resistor sub-body 56f [see Figure 8].

It would have been obvious to one having ordinary skill in the art at the time of the invention to use a different shape of taps connected with resistor sub-body as taught by Praria to the resistor of Piedmont.

The motivation would have been base on the circuit design needs [Col. 5, Lines 10-40, Figures 3-6].

Regarding claim 3, Piedmont discloses a plurality of taps of a first column of taps (30) of a first resistor sub-body is connected with a plurality of taps of a second column of taps (32) of a second resistor sub-body, wherein each tap of the plurality of taps of the first column is connected with only one tap of the plurality of taps of the second column (through 315 and 316) and wherein each tap of the plurality of taps of the second column is connected with only one tap of the plurality of taps of the first column (through 315 and 316) [see Figure 3].

Regarding claim 4, Piedmont discloses each tap of the first column (30) is shifted at least one column position with respect to the column position of the tap of the second column (32) with which the tap of the first column is connected [see Figure 3].

Regarding claim 5, the claim, “the respective connections between the resistor sub-bodies with the taps are made during fabrication of the resistor network at different arbitrary positions with respect to the respective taps”, is a method counterpart of structure of the rejected claim 3 and method steps therefore are inherent for manufacturing a ladder network resistor.

Regarding claim 6, Piedmont discloses the resistor network is a semiconductor-circuit, wherein each resistor sub-body comprises a number of resistor layers, wherein each semi-conducting resistor layer comprises at least two taps, and wherein the semi-conducting resistor layers are interconnected via the taps [Col. 2, Lines 8-38].

Regarding claims 7 and 8, the recitation, “ an Analog-Digital converter comprises a resistive network”, cannot be relied upon to distinguish over the Piedmont reference because they are seen as intended use (i.e., when the claim is directed to a circuit device, any recitation concerning the input or output signal of such circuit device or environment in which the circuit device is employed is not part of the inventive circuit device). Only structural and functional limitations are given patentable weight.

Response to Argument

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joselito Baisa whose telephone number is (571) 272-7132. The examiner can normally be reached on M-F 5:30 am to 2:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joselito Baisa
Examiner
Art Unit 2832

/J. B./
Examiner, Art Unit 2832

/K. Richard Lee/
Acting SPE of Art Unit 2832